

**WILLIS & ZIDZIUNAS, LLC
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**Attorneys for Defendants, Sergeant Bernard Bynum, Lieutenant Pablo Rodriguez
and Captain William Sanchez
File No.: 07377-0001**

ANTHONY KERR,

Plaintiff,

vs.

**CITY OF NEWARK, CITY OF NEWARK
POLICE DEPARTMENT, CAPTAIN
RONALD KINDER, SERGEANT
BERNARD BYNUM, DIRECTOR GARRY
MCCARTHY, LIEUTENANT PABLO
RODRIGUEZ, LIEUTENANT DARRIN
MARESCA, LIEUTENANT SALVATORE
RUSSOMANO, CAPTAIN WILLIAM
SANCHEZ, DONALD BRADLEY, LUIS
QUINTANA, AUGUSTO AMADOR,
MILDRED C. CRUMP, DANA RONE,
ANIBEL RAMOS, JR., RONALD RICE,
JR., OSCAR JAMES, JR., CARLOS
GONZALEZ, DONALD PAYNE, JR.,
CORY BOOKER, and JOHN and JANE
DOES 1-10, THE INSTITUTE FOR
FORENSIC PSYCHOLOGY,**

Defendants.

**UNITED STATES DISTRICT COURT
FOR DISTRICT OF NEW JERSEY**

CIVIL ACTION NO.: 08-cv-3660

**CERTIFICATION OF COUNSEL IN
SUPPORT OF A CONFIDENTIALITY
ORDER PURSUANT TO L.CIV.R. 5.3(B)**

JOHN J. ZIDZIUNAS, ESQ., by way of Certification, says that:

1. I am a member of the firm of Willis & Zidziunas, LLC, attorneys for the defendants, Bernard Bynum, Lieutenant Pablo Rodriguez and Captain William Sanchez, with regard to the above captioned matter.

2. Pursuant to L.Civ.R. 5.3(b), the parties have entered into a written agreement to keep materials produced in discovery confidential and to return or destroy such materials as agreed by the parties and as allowed by law.

3. The nature of the materials the parties desire to keep confidential include, *inter alia*, various Internal Affairs files, Training Files, Personnel Files, Proprietary Test Materials, Forensic Materials and Files of the individually named defendants from the City of Newark, the Newark Police Department and the Institute For Forensic Psychology.

4. The aforementioned materials sought to be protected are highly sensitive in nature and therefore warrant legitimate privacy concerns to both the defendants in this litigation and members of the public.

5. In the event a Confidentiality Order was not entered into, the sensitive nature of the materials sought to be protected would be exposed to the public and could jeopardize police investigations and violate significant privacy and constitutional rights.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully misleading or untrue, I am subject to punishment.

/S/
JOHN J. ZIDZIUNAS

DATED: January 13, 2009